

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
JUL 17 2014  
BY DAVID J. MALAND, CLERK  
DEPUTY

**David E Mack**  
*Plaintiff,*

**vs**

**IC SYSTEM, INC.**  
*Defendant.*

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**Case No. 4:13-cv-615**

**PLAINTIFF'S REQUEST FOR THE COURT TO APPOINT MEDIATOR**

COMES NOW the Plaintiff, David E. Mack, with his request that the Court appoint a mediator for the above styled cause of action.

Plaintiff has attempted on a number of occasions to elicit Counsel for Defendant's cooperation pursuant to the Order of this Court dated January 16, 2014 to attempt to agree on a mediator in this case. Defendant's Counsel has steadfastly refused to respond to Plaintiff's multiple attempts to contact him to choose a mediator and has in ALL respects flatly refused to respond to the Plaintiff. Plaintiff has also made a previous good faith written settlement offer to the Defendant which elicited no response whatsoever.

It is obvious that Counsel for Defendant through their actions is in violation of Local Rule AT-3 (C)(E)(F)(I)(J)(K).

Plaintiff requests that the court appoint a mediator pursuant to its Scheduling Order and notify all parties so that mediation can, in fact, take place by the deadline of August 6, 2014 set by this Court in its Scheduling Order. Plaintiff also requests the Court take whatever action it deems necessary to persuade Counsel for the Defendant to follow Local Rule AT-3 in all respects.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "David E. Mack", written over a horizontal line.

David E Mack  
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**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the document above was sent to the parties listed below by first class mail USPS Return Receipt Requested # 7011 2000 0001 7989 3051.

ROBBIE MALONE, P.L.L.C.  
Northpark Central, Suite 1850  
8750 North Central Expressway  
Dallas, Texas 75231

Dated July 17, 2014

A handwritten signature in black ink, appearing to read "David E. Mack", written over a horizontal line.

David E Mack